

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2

IN THE MATTER OF:)	
)	
)	
PROTECO Superfund Site)	
Peñuelas, Puerto Rico)	
)	
Respondents (see Appendix A),)	
)	
Respondents.)	
)	
Proceeding Under Sections 104, 107)	
and 122 of the Comprehensive)	
Environmental Response, Compensation,)	
and Liability Act, 42 U.S.C. §§ 9604,)	
9607 and 9622.)	
)	

Index Number: CERCLA-02-2020-2010

**AMENDMENT TO ADMINISTRATIVE SETTLEMENT AGREEMENT
AND ORDER ON CONSENT FOR
REMEDIAL INVESTIGATION / FEASIBILITY STUDY**

I. JURISDICTION AND GENERAL PROVISIONS

1. Administrative Settlement Agreement and Order on Consent, Index Number CERCLA-02-2020-2010 (the “Settlement”), was entered into voluntarily by the United States Environmental Protection Agency (“EPA”) and the Respondents identified in Appendix A of the Settlement on September 30, 2020, pursuant to the authority vested in the President of the United States by Sections 104, 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9604, 9607, and 9622 (“CERCLA”). This authority was delegated to the Administrator of EPA on January 23, 1987, by Executive Order 12580, 52 Fed. Reg. 2923 (Jan. 29, 1987), and further delegated within EPA Region 2 to the Director of the Superfund and Emergency Management Division.

2. On October 21, 2020, the Settlement was amended to add an additional Party, AbbVie Ltd., as a Respondent, within a fifteen (15) day period after the Effective Date of the Settlement, as provided for in Paragraph 122 of the Settlement. Consistent with Paragraph 122, the October 21, 2020 amendment to the Settlement required only the signature of (i) the additional Respondent; (ii) a duly designated representative of Respondents; and (iii) EPA.

II. AMENDMENT

3. As set forth in Paragraph 122 of the Settlement, “[t]his Settlement may be otherwise amended under other circumstances by mutual agreement of EPA and Respondents. All amendments shall be in writing and shall be effective when signed by EPA.”

4. Appendix A of the Settlement shall be amended to include the following additional Parties as Respondents:

- a. Boehringer Ingelheim Pharmaceuticals, Inc.;
- b. International Paper Company;
- c. Procter & Gamble International Operations S.A.; and
- d. SmithKline Beecham Pharmaceuticals Co.

5. This amendment to the Settlement shall be effective after execution by the Respondents and EPA.

APPENDIX A

List of Respondents

Amended on August 1, 2022

AbbVie Ltd. (on behalf of Abbott Health Products, LLC f/k/a Abbott Chemicals Inc.)

BASF Agrochemical Products, B.V.

Block Drug Company, Inc.

Boehringer Ingelheim Pharmaceuticals, Inc.

Checkpoint Caribbean Ltd.

EMD Millipore Corporation

General Electric Company (for itself and on behalf of Caribe GE International of Puerto Rico, Inc., GE Industrial of PR LLC, and GEA Caribbean Export LLC)

Henkel Puerto Rico, Inc.

HP Inc.

International Paper Company

Procter & Gamble International Operations S.A.

Puerto Rico Electric Power Authority

Roche Products, Inc.

SmithKline Beecham Pharmaceuticals Co.

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FOR Original Respondents:

7/29/2022
Dated

K. Gannon
Kathleen C. Gannon
Principal
Bressler, Amery & Ross, P.C.
325 Columbia Turnpike
Florham Park, NJ 07932

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FOR Boehringer Ingelheim Pharmaceuticals, Inc.

7/14/2022

Dated

Sheila Denton
SVP, General Counsel, and Secretary
Boehringer Ingelheim Pharmaceuticals, Inc.
900 Ridgebury Rd, Ridgefield, Ct. 06877

FOR Boehringer Ingelheim Pharmaceuticals, Inc.

7/14/2022

Dated

Christian Orth
SVP and Chief Financial Officer
Boehringer Ingelheim Pharmaceuticals, Inc.
900 Ridgebury Rd, Ridgefield, Ct. 06877

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FOR International Paper Company:
[Print name of Respondent]

7/20/22
Dated

Brian E. Herm
[Name] Brian E. Herm
[Title] General Counsel, Intellectual Property + EHS
[Company] International Paper Company
[Address] 6400 Poplar Ave
Memphis, TN 38197

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FOR: Procter & Gamble International Operations SA

15-Jul-2022

Dated

BY: M. Chel

NAME: Malcolm Clarke

TITLE: Director

15-Jul-2022

Dated

BY: 

NAME: Daniel Bundy

TITLE: Company Secretary

Address: Andy Eckstein, One Procter & Gamble Plaza, C9-139B, Cincinnati, Ohio 45202; tel 513-983-1046; fax 513-449-5014, email: eckstein.ta@pg.com

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FOR

SmithKline Beecham Pharmaceuticals Co.

7/14/22

Dated



Justin Huang

President & Secretary

1250 South Collegeville Rd.

Collegeville, PA 19426

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FOR U.S. ENVIRONMENTAL PROTECTION AGENCY:

8/1/22

Dated

Pat

Evangelista

Digitally signed by Pat
Evangelista
Date: 2022.08.01
11:14:02 -04'00'

Pat Evangelista, Director

Superfund and Emergency Management Division, Region 2